

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ramon Martin Garcia v. County of Los Angeles
CASE NUMBER	BC 332410
COURT	Los Angeles County Superior Court, Los Angeles
DATE FILED	April 23, 2005
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$950,000, plus the assumption of the Medi-Cal lien in the amount of \$424,166.25
ATTORNEY FOR PLAINTIFF	Michael Dan, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This is a medical malpractice lawsuit brought by Ramon Martin Garcia, for the injuries that he suffered while admitted at LAC+USC Medical Center.</p> <p>Specifically, Mr. Garcia (19 years old), was admitted to LAC+USC for a gunshot to his neck and side. The gunshot to his neck left him paralyzed in his lower</p>

extremities and weakened in his upper extremities. Several days after admission, he underwent surgery to stabilize his cervical spine due to damaged caused by the gunshot to his side. After that operation, Mr. Garcia exhibited injury to his brain leaving him with severe cognitive impairments and limited speech, and almost complete loss of the use of his upper extremities.

Although the County will assert that the proper medical treatment was provided to Mr. Garcia, the plaintiff will argue that the staff at LAC+USC Medical Center were negligent in performing the surgery in question by causing or allowing lack of oxygenation to his brain. Considering the risks involved in a jury trial, including the potential exposure given Mr. Garcia's ongoing medical expenses, the Department of Health Services agreed to propose a settlement of this case in the amount of \$950,000, plus the assumption of the Medi-Cal lien in the amount of \$424,166.25.

PAID ATTORNEY FEES, TO DATE	\$166,953
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PAID COSTS, TO DATE	\$120,561
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Summary Corrective Action Plan

Date of incident/event:	May 12, 2004
Briefly provide a description of the incident/event:	On May 2, 2004, Ramon Garcia, a 19-year-old male, suffered a gunshot to his neck and was taken to the LAC+USC Emergency Department. He had a significant injury to his left carotid artery and immediately underwent an operation to repair the injury. On May 12, 2004, he was taken back to surgery to stabilize his spine. Following the surgery Mr. Garcia's mental status was changed and he did not follow commands.

1. Briefly describe the root cause of the claim/lawsuit:

Risk of Res Ipsa

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

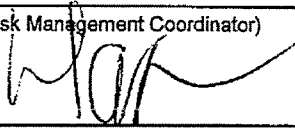
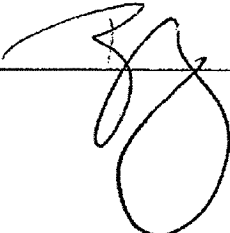
• none

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

☐ Potentially has County-wide implications.

Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).

X Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator)	Date:
	4/4/08
Signature: (Department Head)	Date:
	4/8/07